

**REMARKS**

Claims 1-12 are pending and stand rejected.

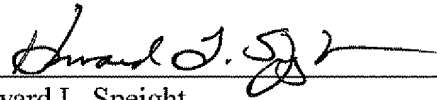
The finality of the Office Action is improper because the Office Action raises new grounds for rejection that have not been presented before. For example, this Office Action includes, for the first time, interpretations of the claims. See, for example, page 3, lines 9-10 (“For the purpose of examination the examiner has at least interpret . . .”).

A final office action is improper where “where the examiner introduces a new ground of rejection that is neither necessitated by applicant’s amendment of the claims nor based on information submitted in an information disclosure statement filed during the period set forth in 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p).” MPEP 706.07(a). Here, the examiner introduced a new ground of rejection, as discussed in the preceding paragraph, and there is no indication that the new ground of rejection meets either of the conditions stated in MPEP 706.079(a). Accordingly, the finality of the Office Action is improper. Applicant respectfully requests that the Office Action be reissued as a non-final office action.

**SUMMARY**

Applicant contends that the claims are in condition for allowance, which action is requested. Applicant does not believe any fees are necessary with the submitting of this response. Should any fees be required, Applicant requests that the fees be debited from deposit account number 14-0225, Order Number 11092.

Respectfully submitted,



Howard L. Speight  
Reg. No. 37,733  
9601 Katy Freeway  
Suite 280  
Houston, Texas 77024  
(713) 881-9600 (phone)  
(713) 715-7384 (facsimile)  
howard@hspeight.com  
ATTORNEY FOR APPLICANTS

Date: March 5, 2007